

IN RE: PETITION FOR SPECIAL HEARING
S/S Liberty Road, 405' E of
Stoneybrook Road
(8821 Liberty Road)
2nd Election District
2nd Councilmanic District
Lev Groysman, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-68-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve the nonconforming use of the subject property as three apartments in accordance with Petitioner's Exhibit 1.

The Petitioners appeared, testified and were represented by Stanley H. Block, Esquire. Also appearing on behalf of the Petition was William Ruff. Appearing as a Protester in the matter was a Mr. Syed.

Testimony indicated that the subject property, known as 8821 Liberty Road, consists of 0.248 acres zoned D.R. 3.5 and is improved with a dwelling containing three apartments, which Petitioners believe are nonconforming. Mr. Groysman testified he purchased the subject property in 1986, at which time the dwelling contained three apartments, and that he has continued to rent the three units since his purchase same. Testimony indicated that to the best of Petitioner's knowledge, the three apartments have existed continuously and without interruption.

William Ruff testified that his father, Seymour Ruff, previously owned the subject property in 1954. Mr. Ruff testified that his father then sold the property to him in 1977 and that he owned it until 1981 at which time he sold it to a Mr. Misko. Testimony indicated that at the time of the elder Mr. Ruff's ownership of the property, only one of the first floor apartments and the second floor apartment existed. Mr. Ruff

testified that his father, who was the developer of the surrounding Fieldstone community, added an addition to the first floor apartment, as depicted on Petitioner's Exhibit 1, in approximately 1956-57 for purposes of setting up an office for his construction company. He testified the addition was not converted to an apartment until the late 1960s. Mr. Ruff further testified that the second floor was always used as an apartment and that the original first floor apartment was used as a doctor's office until its conversion to an apartment in the early 1960s.

As with all non-conforming use cases, the first task is to determine what lawful non-conforming use existed on the subject property prior to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the non-conforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered non-conforming. See *McKemy v. Baltimore County, Md.*, 39 Md. App. 257, 385 A.2d. 96 (1978).

When the claimed non-conforming use has changed, or expanded, then the Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the non-conforming use, the Zoning Commissioner should consider the following factors:

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-68-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a 3 apartment non-conforming use.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:
Name, address and phone number of legal owner, contractor purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 15 day of August, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17 day of Oct, 1990, at 11:30 o'clock.

R.M. 7/27/90
FILED ON 7/27/90 BY JLL
1 HR. HRS. TIME. ANY DAY
AFTERNOON IF POSSIBLE.
ATTN: WITHDRAWAL AFTER FILING.
S.C.O.-M.C. PET. NOT INCORPORATED (over)

"(a) To what extent does the current use of these lots reflect the nature and purpose of the original non-conforming use;

(b) Is the current use merely a different manner of utilizing the original non-conforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original non-conforming use."

McKemy v. Baltimore County, Md., Supra.

After due consideration of the testimony and evidence presented, it appears that a nonconforming use of the subject property as two apartments exists. The testimony is clear that the subject property has been used continuously and without interruption as a two apartment dwelling since 1954. It is equally clear that the third apartment was not added until sometime in the 1960s. Therefore, the relief requested in the special hearing shall be granted for two apartments only.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the Petition for Special Hearing, as modified, should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of November, 1990, that the Petition for Special Hearing to approve the nonconforming use of the subject property as three apartments, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that a nonconforming use of the subject property as two apartments be and is hereby GRANTED, subject, however, to

the following restrictions which are conditions precedent to the relief granted:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) The relief granted herein is limited to two apartments. Accordingly, Petitioners must convert the subject property back to a two apartment dwelling. The kitchen facilities from the converted unit shall be removed from the premises by no later than July 1, 1991.

3) Upon completion of the conversion required in Restriction No. 2 set forth above, Petitioners shall contact the Zoning Enforcement Division of this Office to arrange for a mutually convenient date and time for an on-site inspection of the subject property to insure compliance with this Order.

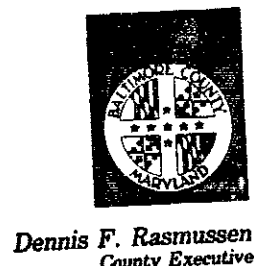
JRH:bjs

J. Robert Haines
Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

November 5, 1990



Stanley H. Block, Esquire
200 E. Lexington Street
Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
S/S Liberty Road, 405' E of Stoneybrook Road
(8821 Liberty Road)
2nd Election District - 2nd Councilmanic District
Lev Groysman, et ux - Petitioners
Case No. 91-68-SPH

Dear Mr. Block:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in part, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Mr. & Mrs. Lev Groysman
12004 Bonita Avenue, Owings Mills, Md. 21117

Mr. Syed
8806 Stonehaven Road, Randallstown, Md. 21133

Mr. David F. Miller
8823 Liberty Road, Randallstown, Md. 21133

People's Counsel

File

Harris, Smariga, Matz, Inc.

Planners/Engineers/Surveyors
104 Church Lane, Suite 100 Baltimore, MD 21208
(301) 486-1511, Fax (301) 486-2573

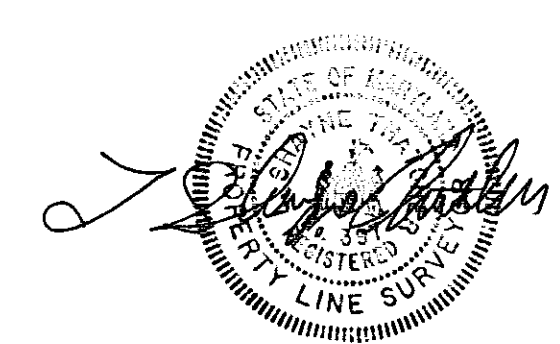
DESCRIPTION: LOT 6, BLOCK A, 0.248 ACRE LOT OF LAND

BEGINNING for the same of the south side of Liberty Road (66 feet wide) at a point distant 405 feet from the southeast side of Stoneybrook Road, running thence and binding on said side of Liberty Road:
(1) South 64 degrees 51 minutes 10 seconds East 63.00 feet, thence leaving said road,
(2) South 12 degrees 09 minutes 50 seconds West 141.43 feet,
(3) North 65 degrees 48 minutes 10 seconds West 92.48 feet,
(4) North 24 degrees 11 minutes 50 seconds East 139.37 feet to the place of beginning.

Said lot being designated as lot 6, block "A" as shown on "Plat A of Fieldstone No. 4" and recorded among the Land Records of Baltimore County, Maryland in Plat Book GLB 22 Folio 16. Said parcel being located in the 2nd Election District.

CONTAINING 0.248 acres of land.

CSR/yaz HSM Job No.: 40439 July 26, 1990



Harris, Smariga & Associates, Inc.
Frederick, MD (301) 982-4488, Fax (301) 982-4008

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 001-6150
Number

receipt
N 3048

Date 7/27/90

H910003B

PUBLIC HEARING FEES	QTY	PRICE
040 - SPECIAL HEARING (OTHER)	1 X	\$175.00
TOTAL:		\$175.00

LAST NAME OF OWNER: GROYSMAH

040400020HCHRC \$175.00
BA C002146PH07-27-90

Please make checks payable to: Baltimore County NEXT BUSINESS DAY

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

91-68-SPH

District: 2nd Date of Posting September 27, 1990
Posted for: Special Hearing
Petitioner: Mr. Groysman, et ux
Location of property: S/S Liberty Road, 405' E. Stoneybrook
8821 Liberty Road
Location of Sign: Dr. Groysman, 8821 Liberty Road
Remarks:
Posted by: J. J. Brata
Signature
Date of return: September 28, 1990
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 9-25, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on 9-20, 1990

THE JEFFERSONIAN.

S. Zeke Orlan

Publisher

\$40.57

\$93.57

CERTIFICATE OF PUBLICATION

Pikesville, Md., 9/19, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 20th day of

Sept 19, 1990 the first publication appearing on the 19th day of Sept, 1990

the second publication appearing on the day of Sept, 1990

the third publication appearing on the day of Sept, 1990

THE NORTHWEST STAR

Don Buhl

Manager

Cost of Advertisement \$25-

FOR SALE

BEDROOM SET-New, 4 rooms, 140, and table, pictures, 764-0215.

Meetings

The Owings Mills Athletic Support Group will meet Sept. 25 from 7:30 p.m. Guest speaker will be rheumatology specialist Edward L. Morris, M.D., F.A.C.P. Free at Z Park Center Cl. Owings Mills. (863-7123).

Classified Deadline Thursday 3 p.m.

ZIP

NATIONAL WORD

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Petition for Special Hearing
Case Number: 91-68-SPH
S/S Liberty Road, 405' E Stoneybrook
8821 Liberty Road
2nd Election District
Petitioner(s): Lev Groysman, et ux
HEARING: WEDNESDAY, OCTOBER 17, 1990 at 11:30 a.m.
Special Hearings: A three apartment non-conforming use.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
9198 Sep. 20

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9198 Sep. 20

LEGAL NOTICE

Baltimore County
Zoning Commission
Office of Planning & Zoning
Towson, Maryland 21204

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J. ROBERT HAINES
Zoning Commissioner of Baltimore County
9198 Sep. 20

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

OCT 12 1990
DATE

Mr. & Mrs. Lev Groysman
12004 Bonita Avenue
Owings Mills, Maryland 21117

Re: Petition for Special Hearing
CASE NUMBER: 91-68-SPH
S/S Liberty Road, 405' E Stoneybrook
8821 Liberty Road
2nd Election District - 2nd Councilmanic
Petitioner(s): Lev Groysman, et ux
HEARING: WEDNESDAY, OCTOBER 17, 1990 at 11:30 a.m.

Dear Petitioners:

Please be advised that \$ 93.57 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

August 20, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Hearing
CASE NUMBER: 91-68-SPH
S/S Liberty Road, 405' E Stoneybrook
8821 Liberty Road
2nd Election District - 2nd Councilmanic
Petitioner(s): Lev Groysman, et ux
HEARING: WEDNESDAY, OCTOBER 17, 1990 at 11:30 a.m.

Special Hearings: A three apartment non-conforming use.

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J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Mr. & Mrs. Groysman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

October 4, 1990

Mr. & Mrs. Lev Groysman
12004 Bonita Avenue
Owings Mills, MD 21117

RE: Item No. 38, Case No. 91-68-SPH
Petitioner: Lev Groysman, et ux
Petition for Special Hearing

Dear Mr. & Mrs. Groysman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer

Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Your petition has been received and accepted for filing this 15th day of August, 1990.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Lev Groysman, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: August 23, 1990
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Groysman Property, Item No. 38

The Petitioner requests a Special Hearing to approve a three-apartment non-conforming use.

In reference to the Petitioner's request, staff offers the following comment:

- should this request be granted, staff recommends that a landscape plan be filed with the Baltimore County landscape planner prior to the issuance of any permits.

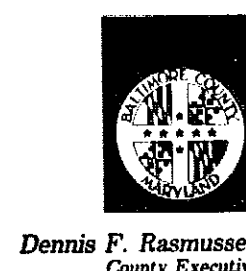
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM38/2AC1

RECEIVED
SEP 6 1990
ZONING OFFICE

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Building, Suite 405
Towson, Maryland 21204
(801) 887-3554

August 10, 1990



Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 30, 31, 33, 34, 35, 36, 37, and 38.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lw

RECEIVED
AUG 20 1990

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

August 13, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: CHARLES E. BURHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES
SUBJECT: ZONING ITEM #: 38
PROPERTY OWNER: Lev Groysman, et ux
LOCATION: S/S Liberty Road, 405' E Stoneybrook (#8821 Liberty Road)
ELECTION DISTRICT: 2nd
COUNCILMANIC DISTRICT: 2nd

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- X A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1: CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- X A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- X OTHER - WALLS MUST COMPLY WITH TABLES 906.2 AND 906.3 AS WELL AS SECTION 910.3

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

CHECK ITEM APPLICABLE TO THIS PLAN

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(801) 887-4500

Paul H. Reincke
Chief

AUGUST 9, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: LEV GROYSMAN

Location: #8821 LIBERTY ROAD

Item No.: *38 Zoning Agenda: AUGUST 14, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1966 edition prior to occupancy. CHAPTER 19. SEE SECTION 19-2.4 FOR NUMBER OF EXITS. PLAN AS SHOWN DOES NOT COMPLY.

REVIEWER: *Capt. Jack Kelly 8-9-90* Noted and Approved: *Capt. David J. Kelly*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/FEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: August 9, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for August 14, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 30, 31, 33, 34, 35, 36, 37, 38.

Robert W. Bowling
ROBERT W. BOWLING, P.E., CHIEF
Developers Engineering Division

RWB:g

KAPLAN & KAPLAN
ATTORNEYS AT LAW
1308 COURT SQUARE BUILDING
BALTIMORE, MD 21202

LEXINGTON 9-8324
LEXINGTON 9-3973

July 27, 1990

Zoning Commissioner
Room 113
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Commissioner:

This is to advise you that I am no longer representing the Groysmans on their Petition for Non-Conforming Use, filed in Baltimore County. On July 26, 1990, Mr. Groysman stated he no longer wanted my services in this matter.

Please forward all materials pertaining to this matter to the Groysmans.

Very truly yours,

Donald E. Kaplan
Donald E. Kaplan

DEK/cld

91-68-SPH

IN THE MATTER OF " BEFORE THE
PETITION FOR SPECIAL HEARING " ZONING COMMISSION
FOR LEV GROYSMAN, ET UX. " OF BALTIMORE COUNTY
PETITIONERS " CASE #: 91-68-SPH
* * * * *

SUMMONS

TO THE CLERK:

Please issue a summons for the following named person to appear before the Zoning Commission of Baltimore County on Wednesday, October 17, 1990, at 11:30 a.m. at 111 W. Chesapeake Avenue, Room 106, Towson, Maryland 21204, to testify in the above-captioned matter:

WILLIAM S. RUFF, JR.
1-25 Liberty Road
Eldersburg, Maryland 21794

Stanley H. Black
STANLEY H. BLACK, ESQUIRE
200 E. Lexington Street, Lower Suite
Baltimore, Maryland 21202
727-6006
ATTORNEY FOR PETITIONERS

8823 Liberty Road
Randallstown, MD 21133

October 9, 1990

Baltimore County Zoning Office
Attn: Ann M. Naskarowicz,
Deputy Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Deputy Commissioner:

Since I will be unable to attend the upcoming special hearing for 8823 Liberty Road (91-68-SPH), I am writing you to express my objections to the rezoning of the property to a three apartment non conforming dwelling.

Mr. Groysman, the owner, has been using the property as an apartment house for at least two years without the proper zoning clearance. He recently tried to add an addition to the house without the proper permits and inspections. Since he had to halt the work, he has left the job half completed and an eyesore to the neighboring properties. He also rarely maintains the exterior of the property, only mowing the lawn when myself or other neighbors place calls to the county environmental office for citizens assistance. Dan Esser at that office can attest to the number of times he has had to request maintenance of the property. The county animal control office also inspected the property because of excessive animal waste left on the lawn which resulted in quite a stench in the neighborhood.

Finally, the property at this address was originally built as a single family dwelling and never intended to be subdivided into apartments. The house is so old, I am not even sure if it is structurally sound. Once again, I strongly object to the rezoning of the property. Thank you.

Sincerely,

David P. Mihler
David P. Mihler

RECEIVED
OCT 11 1990
ZONING OFFICE

